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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 16, 2001

APPLICATION OF

ACN ENERGY, INC.

CASE NO. PUE010361

For a license to conduct
business as a competitive
service provider in a natural gas
retail access programs

ORDER FOR NOTICE AND COMMENT

By Commission Order dated September 13, 2001, ACN Energy, Inc., ("ACN" or "Applicant") was granted license No. G-2 to provide competitive natural gas service to residential customers in conjunction with the retail access program of Washington Gas Light Company ("WGL"). On October 1, 2001, ACN filed a Petition for Limited Reconsideration ("Petition") requesting that the September 13, 2001, Order Granting License be amended to allow ACN to also provide natural gas to small commercial customers in addition to residential customer already authorized by the September 13, 2001 Order. ACN asserts in its filing that it meets the technical and financial requirements to provide natural gas service to small commercial customers in Virginia.

On August 31, 2001, the Commission Staff filed a Report concerning ACN's request for a license to serve residential

customers in WGL's service territory. In its Report, the Staff recommended the granting of a license to serve residential customers. However, the Staff further recommended that if ACN later applied to serve additional customer classes or expanded service territories, its financial fitness should be re-examined.

NOW UPON CONSIDERATION of ACN's October 1, 2001 Petition, and having reviewed its June 25, 2001 application and the September 7, 2001 Staff Report regarding that application, the Commission is of the opinion and finds that ACN's October 1, 2001, Petition should be treated as an application for a license to serve commercial customers in WGL's retail access program; that this Order should be served upon appropriate persons; and that the Commission Staff should investigate the request and present its findings in a report.

Accordingly, IT IS ORDERED THAT:

(1) On or before October 24, 2001, ACN shall serve a copy of this Order on WGL, c/o Donald R. Hayes, Esquire, 1100 H Street, N.W., Washington, D.C. 20080.

(2) Any interested person may request a copy of ACN's original application, accompanying materials, Petition for Limited Reconsideration, and this Order by directing a request in writing to the Applicant, c/o Ms. Alma Rivera, ACN Inc., 32991 Hamilton Court, Farmington, Hills, MI 48334. The

Applicant shall, within three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(3) An original and fifteen (15) copies of any comments on the application may be filed by October 31, 2001, with the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Comments must refer to Case No. PUE010361. A copy of such comments also must simultaneously be served by first-class mail, or hand-delivered, to Applicant, c/o Ms. Alma Rivera, ACN Inc., 32991 Hamilton Court, Farmington, Hills, MI 48334.

(4) The Commission Staff shall investigate the requested modification and shall present its findings in a Staff report to be filed on or before November 7, 2001.

(5) On or before November 10, 2001, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any response it may have to the Staff report and any comments that have been filed, and shall serve a copy of its response on counsel for the Commission Staff and any person(s) submitting comments by overnight delivery.

(6) Due to the time-sensitive nature of this proceeding, the Applicant shall respond to written interrogatories or data requests within three (3) business days after the receipt of the same. Interrogatories and data requests, as well as the

responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall be in accordance with Part VI of the Commission's Rules of Practice and Procedure.

(7) This matter is continued generally.